

**FLEIT, KAIN, GIBBONS,  
GUTMAN, BONGINI &  
BIANCO P.L.**  
ATTORNEYS AT LAW

Miami • Fort Lauderdale • Boca Raton

Fleit, Kain, Gibbons, Gutman,  
Bongini & Bianco P.L.  
551 NW 77th Street, Suite 111  
Boca Raton, Florida 33487  
Telephone: (561) 989-9811  
Facsimile: (561) 989-9812  
writer's e-mail: jgiunta@FocusOnIP.com

**RECEIVED  
CENTRAL FAX CENTER**

**OCT 23 2005**

## TELECOPIER TRANSMITTAL FORM

**DATE:** October 23, 2005  
**TO:** Examiner Kimberly D. Flynn  
**FIRM:** USPTO, Group Art Unit 2153  
**FAX #:** (571) 273-8300  
**PHONE:** (571) 272-3954  
**FROM:** Jeffrey N. Giunta

**TOTAL NUMBER OF PAGES: 21  
(INCLUDING THIS PAGE)**

IF YOU DO NOT RECEIVE ALL PAGES CLEARLY, PLEASE CONTACT US IMMEDIATELY

### MESSAGE:

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant(s):** Victor S. MOORE et al.

**Serial No.:** 09/497,836

**For:** *USER INPUT BASED ALLOCATION OF BANDWIDTH ON A DATA LINK*

**Enclosed are the following:**

Transmittal letter (1 pg.); and Response With Amendment (19 pgs.).

**Docket No.:** BC9-99-044

**120-A99-150**

**October 23, 2005**

CONFIDENTIALITY NOTE:: THE INFORMATION CONTAINED IN THIS TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL, INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVE THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE (COLLECT) AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE LISTED ADDRESS VIA THE U.S. POSTAL SERVICE. WE WILL REIMBURSE YOU FOR POSTAGE AND/OR TELEPHONE EXPENSES INVOLVED. THANK YOU.

**"Focus on IP"**

[www.FocusOnIP.com](http://www.FocusOnIP.com)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

OCT 23 2005

In re Patent Application of : Atty. Docket No. BC9-99-044  
 Victor S. MOORE, et al. : Group Art Unit: 2153  
 Serial No. 09/497,836 : Examiner: Kimberly D. Flynn  
 Filed: February 3, 2000 : Confirmation No. 7966  
 For: *USER INPUT BASED ALLOCATION OF BANDWIDTH ON A DATA LINK*

TRANSMITTAL**MAIL STOP AMENDMENT**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below. *(Small entity fees indicated in parentheses.)*

CLAIMS AS AMENDED						
(1)	(2) Claims Remaining After Amendment	(3)	(4) Highest Number Previously Paid For	(5) Extra Claims	(6) Rate	(7) Fee
Total Claims <i>(Small Entity)</i>	19	-	20	0	50.00 <i>(25.00)</i>	0
Independent claims <i>(Small Entity)</i>	6	-	6	0	200.00 <i>(100.00)</i>	0
Multiple Dependent <i>(Small Entity)</i>	0	-	0	0	360.00 <i>(180.00)</i>	0
Extension of Time Fee <i>(Small Entity)</i>	One Month \$120 <i>(\$60)</i>	Two Months \$450 <i>(\$225)</i>	Three Months \$1,020 <i>(\$510)</i>			0
Total						\$0.00

XX The Commissioner is hereby authorized to charge any required fees to Deposit Account No. 09-0452.

Respectfully submitted,

Date: Oct. 23, 2005By: 

Jeffrey N. Giunta  
 Reg. No. 42,583

Customer No. 23334  
 Fleit, Kain, Gibbons, Gutman, Bongini & Bianco P.L.  
 551 NW 77th Street, Suite 111  
 Boca Raton, Florida 33487  
 Telephone: (561) 989-9811  
 Facsimile : (561) 989-9812

**RECEIVED**  
**CENTRAL FAX CENTER**

OCT 23 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Victor S. MOORE et al.	)	Group Art Unit: 2153
Serial No.: 09/497,836	)	
Filed: February 3, 2000	)	Examiner: Kimberly D. Flynn
Confirmation Number: 7966	)	
For: USER INPUT BASED ALLOCATION	)	
OF BANDWIDTH ON A DATA LINK	)	
<hr/>		

RESPONSE WITH AMENDMENT UNDER 37 C.F.R. § 1.111VIA FACSIMILE FAX # (571) 273-8300**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**ATTN: Examiner Kimberly D. Flynn**

Sir:

In response to the Office Action dated July 22, 2005, in connection with the above-identified application, please enter the following amendment and reconsider the subject application based upon the following remarks. This response is being filed Sunday, October 23, 2005, prior to the first business day after the three month response date for this Office Action of October 22, 2005.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

On October 23, 2005JEFFREY N. GIUNTA  
Name  
Signature

BC9-99-044

-1-

S/N 09/497,836